

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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ENGELHARD CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>Civil Action No. 05-11241-JLT</b>
	)	
UNITED STATES OF AMERICA, <u>et al.</u> ,	)	( <i>Electronic filing</i> )
	)	
Defendants.	)	
	)	

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**JOINT MOTION TO  
MODIFY CASE SCHEDULE AND DISCOVERY ORDER**

Pursuant to Local Rule 7.1(b) of the United States District Court for the District of Massachusetts, Plaintiff Engelhard Corporation (“Engelhard) and Defendants United States of America, et al. (“United States”), hereby move jointly for an order modifying the case schedule set forth in the Court’s Notice of Scheduling Conference, dated February 16, 2006. Specifically, for reasons set forth in the parties’ Memorandum In Support, filed contemporaneously herewith, the parties seek an order deferring the date of the Rule 16(b) Scheduling Conference, **by 37 days, from March 20, 2006, to April 26, 2006.**

The parties also move for a modification to the Court’s Discovery Order dated February 16, 2006. Specifically, for reasons set forth in the parties’ Memorandum In Support, filed contemporaneously herewith, the parties seek an order enlarging the time in which to comply with the Discovery Order, **by 42 days, from March 6, 2006, to April 17, 2006.**

A Proposed Order accompanies this Joint Motion.

Respectfully submitted,

**FOR THE UNITED STATES:**

MICHAEL J. SULLIVAN  
United States Attorney  
District of Massachusetts  
ANTON P. GIEDT  
Assistant U.S. Attorney  
1 Courthouse Way  
Boston, MA 02210  
Tel: (617) 748-3309  
Fax: (617) 748-3967  
[anton.giedt@usdoj.gov](mailto:anton.giedt@usdoj.gov)

SUE ELLEN WOOLDRIDGE  
Assistant Attorney General  
Environment & Natural Resources Division

Dated: March 3, 2006

/s/ Stephen E. Crowley  
STEPHEN E. CROWLEY  
U.S. Department of Justice  
Environment & Natural Resources Division  
Environmental Defense Section  
P.O. Box 23986  
Washington, D.C. 20026-3986  
Tel: (202) 514-0165  
Fax: (202) 514-8865  
[Stephen.Crowley@usdoj.gov](mailto:Stephen.Crowley@usdoj.gov)

**FOR ENGELHARD CORPORATION:**

Dated: March 3, 2006

/s/ Ronald L. Kuis (by S.E.C., with permission)  
12 Scenery Road  
Pittsburgh, PA 15221  
[rlkuis@aol.com](mailto:rlkuis@aol.com)

David P. Rosenblatt  
Paul R. Mastrocola  
Burns & Levinson, LLP  
125 Summer Street  
Boston, MA 02110  
[Drosenblatt@burnslev.com](mailto:Drosenblatt@burnslev.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**[PROPOSED] ORDER**

THIS MATTER having come before the Court on the parties' Joint Motion To Modify Case Schedule and Discovery Order, the Court having reviewed the parties' Joint Memorandum In Support and finding good cause shown, it is hereby ORDERED that the Joint Motion is GRANTED, and therefore:

- 1) the Rule 16(b) Scheduling Conference set for March 20, 2006, at 2:45 P.M., in Courtroom 20 will be postponed, and instead held on April 26, 2006, at \_\_\_\_\_, in Courtroom \_\_\_\_\_, in accordance with Rule 16(b) and L.R. 16.1. Counsel should be prepared to argue all pending motions. Further,
- 2) the period of time in which to comply with the Court's February 16, 2006 Discovery Order is enlarged; the parties must comply with the requirements set forth in the Order on or before April 17, 2006.

SO ORDERED, this \_\_\_\_\_ day of March 2006.

The Honorable Joseph L. Tauro  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 3rd day of March 2006, I served a true and correct copy of the foregoing JOINT MOTION TO MODIFY CASE SCHEDULE AND DISCOVERY ORDER, together with a PROPOSED ORDER, on Plaintiff's counsel of record by electronic filing, as follows:

Ronald L. Kuis, Esq.  
12 Scenery Road  
Pittsburgh, PA 15221  
[rlkuis@aol.com](mailto:rlkuis@aol.com)

David P. Rosenblatt  
Paul R. Mastroccola  
Burns & Levinson, LLP  
125 Summer Street  
Boston, MA 02110  
[Drosenblatt@burnslev.com](mailto:Drosenblatt@burnslev.com)

/s/ Stephen E. Crowley  
STEPHEN E. CROWLEY  
Attorney for the Defendants